



AMENDMENT / RESPONSE TRANSMITTAL

Applicants : Isao Kanno et al.
 App. No. : 10/619,333
 Filed : July 14, 2003
 For : WATERCRAFT
 PROPULSION SYSTEM AND
 CONTROL METHOD OF THE
 SYSTEM
 Examiner : John Kwon
 Art Unit : 3747

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

January 11, 2005

(Date)

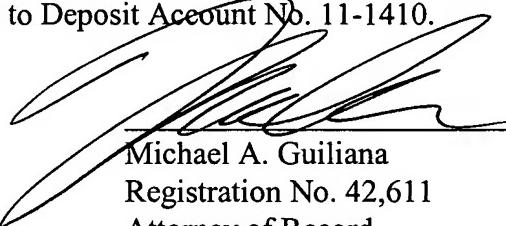
Michael A. Giuliana, Reg. No. 42,611

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Response to Election of Species Requirement in 2 pages.
- (X) Return prepaid postcard.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.


 Michael A. Giuliana
 Registration No. 42,611
 Attorney of Record
 Customer No. 20,995
 (949) 760-0404



.20109US0A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Isao Kanno et al.) Group Art Unit 3747
Appl. No. : 10/619,333)
Filed : July 14, 2003) I hereby certify that this correspondence and all
For : WATERCRAFT PROPULSION) marked attachments are being deposited with the
SYSTEM AND CONTROL) United States Postal Service as first-class mail in
METHOD OF THE SYSTEM) an envelope addressed to: Commissioner for
) Patents, P.O. Box 1450, Alexandria, VA 22313-
Examiner : John Kwon) 1450, on
)
) January 11, 2005
) (Date)
) Michael A. Giuliana, Reg. No. 42,611

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Election of Species Requirement set forth in the Office Action dated December 13, 2004, Applicants hereby elect Species II (Claims 6-13 and 29-33) for prosecution in the present application. Applicants also wish to note that Claim 1, which recites a “means plus function” recitation, can also be read on at least one embodiment on which the elected species can also be read.

The present election is being made with traverse. Applicant submits that it is well established that:

If the search and examination of an entire application can be made without **serious burden**, the examiner **must** examine it on the merits, even though it includes claims to independent or distinct inventions.

M.P.E.P. § 803 (emphasis added).

All of the claims are directed to a propulsion system for a watercraft or a method for operating a propulsion system for a watercraft. A proper search for art related to the elected species would necessarily include the classes and subclasses relevant to a search for the non-elected species. Thus, examination of all the claims would not present a



Appl. No. : 10/619,333
Filed : July 14, 2003

substantial further "serious burden" on the Office. Applicants therefore respectfully request that the present election of species requirement be withdrawn.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

A handwritten signature in black ink, appearing to read "Michael A. Giuliana".

Dated: January 11, 2005

By:

Michael A. Giuliana
Registration No. 42,611
Attorney of Record
2040 Main Street
Fourteenth Floor
Irvine, California 92614
(949) 760-0404

H:\DOCS\MAGYAMAHA\FSDOCUMENTS\FS20109US0AELE2.DOC
011105